

Remarks

Claims 21-40 are pending in the application.

Rejection under 35 U.S.C. § 112

Claim 36 is rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement.

Applicant respectfully traverses the rejection.

One skilled in the art would know that there is no cure for Parkinson's disease and that Parkinson's disease is chronic and progressive – meaning that the symptoms continue and worsen over time. One skilled in the art would appreciate that stabilizing the symptoms of a degenerative disease would be a successful way to treat the disease. To this end, the specification teaches that a successful treatment of the motor dysfunctions associated with Parkinson's disease is no change in symptoms. At page 3, lines 21-22, the specification teaches:

In some embodiments, a successful treatment may be a treatment in which the symptoms of Parkinson's disease do not change, i.e., the symptoms neither improve nor worsen.

Example 1 in the specification teaches that the symptoms of motor dysfunctions associated with Parkinson's disease did not worsen. One skilled in the art would recognize that the claims are enabled and that success in the treatment of the motor dysfunctions associated with Parkinson's disease would include both an improvement in the symptoms and also stabilization of the symptoms, i.e., the symptoms remain the same. The specification teaches that both outcomes represent a successful treatment. One skilled in the art would appreciate that a patient suffering from a degenerative disease (e.g., Parkinson's disease) would be successfully treated if the symptoms of the disease did not get worse.

In view thereof, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

Rejection under 35 USC § 102(b)

Claims 21, 22, 25-27, 30-32, 35, 37, and 40 are rejected under 35 USC § 102(b) as being anticipated by Henneberg, *J. Neural. Transm.*, 106(3-4), XXV-XXVI (April, 1999).

Applicant respectfully submits that Henneberg has not been peer reviewed and has not been statistically analyzed. Henneberg further admits that the report is based on subjective criteria, and that no objective criteria were used for the study.

There is no evidence of record that the patients in Henneberg's study did not suffer from

Alzheimer's dementia in a manner wholly unrelated to Parkinson's disease. Henneberg has not established a connection between dementia and Parkinson's disease, and there is no evidence that the patients' in Henneberg's study suffered from dementia that was caused by Parkinson's disease. There is no evidence that Henneberg was treating Parkinson's dementia.

In view of the above, Applicant respectfully requests that the rejection of claims 21, 22, 25-27, 30-32, 35, 37, and 40 be withdrawn.

Rejection under 35 USC § 103

Claims 21-35 and 37-40 are rejected under 35 USC § 103 as being obvious over Henneberg, *J. Neural. Transm.*, 106(3-4), XXV-XXVI (April, 1999) in view of Sugimoto et al (US Patent No. 4,895,841).

Applicant respectfully traverses the rejection.

Applicant incorporates by reference the above discussion of Henneberg.

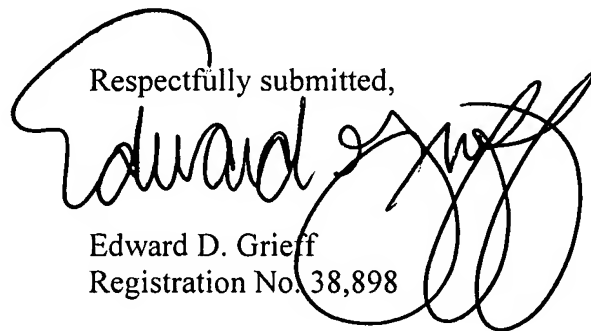
Sugimoto teaches donepezil, but does not disclose or suggest that donepezil could be useful for treating Parkinson's disease. The PTO's rejection is based on a sentence in Sugimoto that states the compounds may be "effective for the treatment of various kinds of dementia." This vague statement does not provide evidence that donepezil would be useful for treating Parkinson's disease.

Sugimoto does not cure the deficiencies of Henneberg and provides no motivation, suggestion, or reasonable expectation of success to arrive at the claimed invention. Accordingly, the rejection cannot be maintained. In view thereof, Applicant respectfully requests that the rejection of claims 21-35 and 37-40 be withdrawn.

Summary

Applicant respectfully requests an early and favorable reconsideration and allowance of claims 21-40.

Respectfully submitted,



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Date: September 12, 2007
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